IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.10026 OF 2004

Shri Pandurang Ramrao Randive, .. Petitioner

Vs

1. The State of Maharashtra & ors. .. Respondents

Mr. R.V.More with Mr Pratap Patil, for the petitioner.

Mr D.A.Patil, AGP for the respondents.

CORAM : D.B.BHOSALE,J.

DATE : 21st December, 2004.

PC:

1. Heard the learned counsel for the parties.

2. Mr.More, learned counsel for the petitioner, submits that he has instructions not to press this petition and prayed for a limited protection to enable the petitioner to approach respondent no.1 and seek interim order in the revision filed by the petitioner against the order dated 26.10.2004, impugned in the instant writ petition. He further submits that since the concerned Minister was at Nagpur for Legislative Assembly Session, the petitioner has approached this Court by way of instant writ petition. By the impugned order, the Divisional Joint Registrar, Co-operative Societies, Pune Division, Pune, has approved Bye-law nos 29 and 31 of respondent no.4 society. Mr. More, pressed this petition only against the order in respect of Bye-law No.31 of

respondent no.4-society. He further submits that a stay to the registration of Bye-law no.31 for a period of two weeks to enable the petitioner to approach the revisional authority for appropriate relief will not cause any prejudice to the respondent since the election of the society has not been declared so far. Having regard to the submissions of Mr More and considering the impugned order, I am satisfied that the following order will meet the ends of justice.

(i) The writ petition is disposed of as not pressed.

(ii) If Bye-law no.31 has not been registered so far as contemplated under section 13 of the Maharashtra Co-operative Societies Act, 1960, the concerned authority is directed not to do so for a period of two weeks from today to enable the petitioner to approach the revisional authority and seek appropriate relief therein. While passing this order, I shall not be understood to have examined the merits of the case. The revisional authority will deal with the revision and the application for interim relief, if any, on merits in accordance with law. It is made clear to the petitioner that the protection granted by this order shall not be extended further on any ground whatsoever.

(iii) All contentions on merits are left open.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)